THE COURTS.

UNITED STATES COMMISSIONER'S COURT.

A Sea Captain Charged with Forcibly Putting His Crew Ashere and Abandoning Them in a Foreign Port.

a Foreign Port.
Before Commissioner Oeborn.
The United States vs. James D. Keith.—The defe ant in this case is master of the American ship Sumpter, and is charged with having maliciously and without justifiable cause put on shore by force and leaving behind one of the crew of the Sumpter in a foreign port. The prosecution in the case is based upon the tenth section of the act of March, based upon the tenth section of the act of March, 1825. James Breen, who makes the complaint, testined that on the 12th of May, 1868, at the port of Galveston, he shipped on board the American ship Sumpter, as second mate, for a voyage to Liverpool, England, and back to Galveston; that at Liverpool the defendant forcibly, maliciously and without the consent of Erea, put aim ashore and left him behind in a forcign port. Other members of the crew, who make similar charges against Captain Keth, were also examined. The defence was not entered into, and the case stands adjourned till this morning.

COURT OF APPEALS.

Action for Loss of Life Against the Hudson River Ruthroad Company. Before a Full Bench.

hael O'Mara, Administrator of Thos. O'Mara, Deceased, Respondent, vs. The Hudson River Railroad Company.—This was an appeal from an order of the Supreme Court refusing to set aside a verdict in favor of the plaintiff for \$1,500 and for a new trial.

The action was for damages for the supposed negligent killing of a son of the plaintiff, on April

negligent killing of a son of the plaintiff, on April 12, 1868, at a reitroad crossing in East Albany. The accident took place at Danm's crossing, which is over Second avenue, a public thoroughtare at that place. The boy, who was eleven years old, was on an errant for some beer for his faither, who is a laboring man, and was killed by an engine called the "Jones" as he was crossing the raifroad track.

For the appellant it was contended that there were no proofs of neg seence on their part; that the bed of the engine had been rung as it approached the crossing, and that all needful warning had been given; that there was a flagmant at six proper post; and that whether this fagman waved his fag or not was immaterial, as it would not be seen, owing to a freight train which was moving on an adjoining track being in the way. It was also contended that there was nothing to show that the services of a child only eleven years old were of any pecuniary value to the plaintiff. Decision reserved.

Action for Damages for Loss of Life Agains the New York and Harlem Railroad Com-

pany.

Elizabeth Gonzales, Administratrix and Plaintiff, Respondent, vs. The New York and Harlem Ruitroad Company, Defendant and Appellant.—The husband of plaintiff was killed on November 16, 1864, at the station at West Mount Vernon. When the train was approaching the station and before it reached the plaiform Gonzales jumped off and was run over and killed by an express train coming in an opposite direction. Judgment was in her favor, the jury giving her a verdict for damages, and from this the company appealed. For the appellants it was argued that they had provided a sale landing place for the travelers, and that by his own negligence in leaving the cars before their arrival at the platform the deceased took the responsibility of looking out for himself.

Landlord and Tenant.

Landlord and Tenant.

Laudlord and Tenant.

Educard Matthews, Appellant and Plaintiff in Error. vs. Sydney D. Roberts, Repspondant and Defendant in Error.

There was also another case—The People, ex. rel. S. D. Roberts, respondent, vs. Edward Matthews, appellant, and Edward Matthews, plaintiff in error, vs. the People, ex. rel. S. D. Roberts, defendants in error, which was made part of the first case.

Mr. Roberts, in 1863, sired the premises 80 Broadway of R. L. Cutting, the owner, in a written lease which expired in May, 1864. In April the premises were sold to Matthews, Roberts did not vacate the premises when his lease expired, when proceedings were taken against him as a tenant holding over, and a warrant of dispossession was entered. The proceedings yesterday were on appeal to review a judgment of the Supreme Court, wherein judgment rendered by a Justice of First District Court was declared void.

The case is still on.

Charod vold.

The case is still on.

The Court Calendar for to-day is as follows:—Preferred cases—Nos. 25, 26, 27, 28, 31, 32, 33, 34, 35, 36, 37, 38 and 39. General Calendar—Nos. 43 and 34. SUPHEME COURT-CHAMBERS.

The Lottery Business in New York-John

Morrissey in Court.

Before Judge Cardozo.

John Morrissey vs. Zachariah E. Simmons.
Charles H. Murray, John A. Morris, John Anderson,
William France, James Stewart, M. C. Stanley,
Isaac Bernstein, Benjamin Wood, John McCool,
havés L. Reed, Jacob Battch, Francis King, Avraham Voorhis, Henry Colton, Reuben Parsons, Marcus A. Litted, Benjamin S. Halsey, James S. Watson,
Frank Work and Z. E. Simmons, Chartes H. Murray
and Lewis Davis, Irustees, &c.—This is a suit by John
Morrissey against his former associates in the lot.ery
business, growling out of a sale by him to Simmons
of his shares in December, 1897. At that time the
lottery rights for the States of Missouri, Kentucky,
Delaware and Georgia were held by an association
of which some of the defendants were members.
There were 115 saares divided as follows:—
John Morrissey. 20% Z. E. Simmons. 25%
John Anderson. 10 Charles H. Murray .10
Wm. France. 9 James Stewart. 7%
Isaac Bernstein. 4 N. C. Stanley.

Prancis King... David L. Reed.

which Simmons was of his 261, which Simmons was to pay \$212,000 sh and the balance in notes of \$2.00 due in supercollege. \$50,000 in cash and the balance in notes of \$5,000 each, failing due in successive months. It was provided that a failure to pay any of thece notes should forfeit the amount previously paid and return the shares to Mr. Morrissey. The notes were paid down to May, after which Simmons made default. Morrissey brings the present action in the nature of a forecooure, and at the same time claims that there has been mismanagement, and asks an injunction against the continuance of the business and the appointment of a receiver.

Several of the parties are made defendants on account of liens they caim to have. An order to show cause why an injunction should not be issued, with a temporary injunction, was granted by Judge Cardozo, returnable yesterday. Mr. Smith, counsel for the defendant Simmons, procured a postponement until to morrow, on the ground that he had not had time to prepare. Granted.

Decisions.

Decisions.

Decisions.

Before Judge Ingrabam.

In the Matter of Henry W. Jackson et al.—Reference to M. Gishoeffer to inquire as to matters in petition and report.

Withstanian Halme vs. Andrew J. Hulme.—Report confirmed and judgment of divorce granted.

Mary E. Marsh vs. Albert Marsh.—Report confirmed and judgment of divorce granted. Custody of Infant child awarded to the plaintiff.

SUPERIOR COURT-SPECIAL TERM.

Decisions.

Before Judge Jones. Hamilton E. Torcie vs. The American Telegraph Company. Motion granted. Charles Well et al. vs. Charles A. Lindsey et al. Motion granted.

Altiva W. Budlong vs. Frederick Wehman et al.—
Motion granted.

Mored W. Budlong vs. Frederick Wehman et al.—
Motion granied.

Mary Ann Tolen vs. Elien Hefferen.—Motion to
discharge arrest granied.

Charles H. Smith vs. Timothy J. Coe.—I have no
power to disturb the ruling and settlement of the
Justice who pussed upon the settlement of the case
and exceptions; this is not the remedy. Motion dedied.

SUPREME COURT-OCTOSER TERM.

Law Notice.

The October term of the Supreme Court will commence on Monday next. There are very full calenmence on Monday next. There are very full calendars on the equity, special and chambers, but no very important case or one of much public interest set down for the circuit. The special term will be held by Judge Sutaertand in the new Court House. Judge Ingraham will preside at chambers. The two circuit courts of over and terminer will be held in the ordinary court rooms by Judges Barmard and Cardozo. Part three of over and terminer will not be held, as there is no judge in the city at leisure to dispose of the business. The jurors summoned for part three are requested to attend at ten o'clock Monday morning in part one.

FIRE MARSHAL'S MONTHLY REPORT.

Pire Marshal Brackett has prepared the following report concerning fires during the month of Septem

There were seventy-four fires and alarms during the past month, nineteen still alarms and thirteen

Of these four were of incendiary origin, two were nused by fireworks, three by smoking, three by solutaneous combustion, two by kerosene oil, one of defective fine and the rest originated from a va-

Total amount of loss ascertained on buildings. \$56,611

Total.....\$296,148

CITY INTELLIGENCE.

ANOTHER UNSAFE BUILDING CASUALTY .- WILLIAM Mack, of 27 Bridge street, was seriously injured yesterday forenoon, by a portion of the wall of an old building at 20 Pearl street falling on him. He was taken to Bellevue Hospital.

SZIZURE OF TORACCO.—Deputy Collector Conatty,

of the Fourth district, yesterday morning took pos-session of ten hogsheads of tobacco on which no tax had been paid. The police of the Third precinct suspected the tobacco was not tax-paid and detained it.

FATAL ACCIDENT TO A SAILOR.-Coroner Flynn yesterday held an inquest at the New York Hospital on the body of Thomas McQuinney, a sailor, whose death was the result of injuries received on the 29th ult by failing from a mass of the ship General McClellan, lying in the East river, to the deck. The jury rendered a verdet of accidental dath. Deceased was thirty-six years of age and senative of reland.

INTEREST ON CITY MONEYS .- Mr. Peter B. Swee ny, City Chamberiain, has deposited in the Broad-way Bank the sum of 31,657 45 as the net interest, way bank the sum of 31,657 45 as the net interest, for the month of Septamber, of moneys belonging to the city and county in his custody, and this, added to previous deposits of a similar character, makes a grand total of \$82,161 as which has been paid by him into the city treasury for this purpose.

Postal.—For the present all the mails for the Pacific States and territories, British Columbia,

China, Japan and the Sandwich Islands-except the accumulation from the steamer of October 1-will be sent from this city by the overland mail by way of chicago and Omnha. The mail closes at five A. M. and twenty minutes after five P. M. This arrangement includes all matter going to California, Utah, ac. During the month of August there were received and despatched at the New York Post Office 788,038 toreign letters, and sums of money amounting in the aggregate to 99,797 83.

toreign inters, and sums of money amounting in the aggregate to 99,797 s3.

The Duane Spreet Fire.—The damage done to the stock of C. Peck & Co., No. 96 Duane street, in whose store a fire occurred on Thursday evening. It appears, will be much larger than at first anticipated. It is now estimated to be from \$12,000 to \$15,000. The whole stock, Mr. Peck alleges, to be worth about \$20,000, on which there is \$25,000 msurance in the following companies:—Commonwealth, \$4,000; Baltic, \$5,000; Mechanics and Traders, \$2,000; Supvesant, \$2,000; Columbia, \$4,000; Howery, \$2,500; Adriatic, \$2,500; Sterling, \$5,000; Wilhiamsburg City, \$2,000. The tailoring store of W. & C. Baum, No. 21 Hudson street, was also burnt on the same evening, the loss on stock is estimated at \$3,000, on which there is an insurance of \$2,500 in the Park Insurance Company.

American Bible Society.—At the last stated

AMERICAN BIBLE SOCIETY .- At the last stated ceting of the Board of Managers of the American Bible Society, held on Thursday, grants of books were made to the American Mission Association, to the Board of Missions of the Protestant Episcopal Church, to the Sunday School Union of the Methodist Episcopal Church. Many grants to auxiliaries, Sunday schools and Individuals at the South, with Fibles and Testaments in various languages for distribution among vessels saling to foreign ports and ten volumes in raised letters for the blind. Besides these others to the support of the series of the these others to the amounts of 5500 were granted to auxiliaries at the South. In funds, \$5,440 were ap-propriated for work abroad, for printing Arabo Scriptures in Beirut, for work in Italy and for print-ing Micronesian Scriptures at Honolulu.

POLICE INTELLIGENCE.

ARREST OF AN ALLEGED BURGLAR IN MAIDEN LANE.-About half-past one o'clock yesterday afternoon a man known as William Morton, alias Ken-tuck, entered the premises No. 102 Maiden lane, and proceeding up stairs to the third floor burst open a proceeding up stairs to the third floor burst open a door with a jimmy he had with him, with intent to steal a quantity of ciothing and other property worth \$250 then in a wardrobe belonging to Charles Harms, occupant of the premises. While standing in the room near the wardrobe Morton was seen by one of the occupants of the house, who cried for help, when the intruder ran down stairs into the street and endeavored to escape. Roundsman Rogers, of the Second precinct, hearing the cry of "Police," pursued the fugitive, who in his flight thropped a highly poisshed jimmy, and after arresting Morton a Derringer pistol was found in his possession. The accused, who is not an entire stranger to the police, was taken before Justice Dowling at the Tombs and committed for examination.

terday morning a youth seventeen years of age, giving his name as Jacob Baum, was brought to the Tombs by detective Tilley, of the Third precinct, on suspicion of having set fire to the merchant tailoring establishment of Messrs. W. & C. Baum, No. 21 Hudson street, an account of which has already been published in the HERALD. Bessy McCann, a young woman living in the upper part of the premises, deposed that at about seven o'clock on Thursday evening she saw the prisoner, who was employed in the store, come out and lock the door. After standing on the steps a short time he started of in the di-ection of Duane street, and ten minutes hare the winess amelt smoke, which apparently came from the store. She immediately reported the fact to Mr. Feirx Marx, landlord of the premises, and ran up to hen room for her ciothing and such other valuables as she had there. On returning to the street Bessy saw that the store door had been broken open and fire was then issuing from the premises. Feirx Marx, owner of the premises, testified that the previous witness informed him that the store was on fire. He then ran up to the second floor, where he lived, and getting posed that at about seven o'clock on Thursday eveformed him that the store was on fire. He then ran up to the second floor, where he lived, and getting out his little boy, seven years old, conveyed him to a netgabor's. Mr. Marx returned to the burning building, and, with others, burst open the door, when the store was discovered to be all on fire. The firemen and police. An examination of the premises by bennis Doyle after the door was burst open resulted in discovering fire in the rear of the store evidently among some cloth at the end of the counter. Owing to the absence of witness the further examination was adjourned till to-day. It is stated that Fire Marshal Brackett had a number of witnesses in the case at his office at headquarters, and was there conducting a separate examination into the origin of the fire instead of producing them in court to give their evidence before the magistrate. By this arrangement the investigation was greatly retarded without in the least furthering the ends of justice. Probably the Marshal after concluding his branch of the examination will submit the testimony of the witnesses to Justice Dowling for his consideration.

NATURALIZATION.

The Court of Common Pleas, in which most of the work of naturalization was done until very recently. was not so crowded yesterday, it having become known that Judge McConn, who was absent in Europe on vacation during the summer months, had eturned to his post in the Superior Court and was prepared to assist Judge Garven in naturalizing allens. Nevertheless, Judge Barrett and his officials had quite enough to do, very many of the applicants being of that class of persons who cannot answer a question without so much circumlocutory verbiage that a dozen additional inquiries became necessary in order to get at the simplest fact. Under such circumstances the Hibernian manner of replying to a question by asking another would be positively irritating if it was not relieved by the irrepressible Ceitic humor which it takes so little to evoke. The so-ceiled Dutchmen—emigrants from Prussia, Austria and the Germanic Confederation, as well as from Holland—give the greatest trouble and are the most difficult to deal with.

A few days since a heavy Rhinelander presented himsel before Judge Barrett and demanded to be naturalized. To the usual question—"How long have you been in this country "—put by the Judge, he answered, after long cogliation and frequent conferences in a high key with the equally profound gentleman who was his witness. "two years and yaif, Shudge,"
"That won't do," said Judge Barrett: "the law had quite enough to do, very many of the applicants

ticman who was his witness. "two years and yaif, Shudge."

"That won't do," said Judge Barrett; "the law says you must be five years in the country previous to your naturalization as a citizen of the United States."

"Eh! What law? Five years! Mine Gott, dat's no law 't all!" exclaimed the astonished Teuton, immediately after, in an excited tone; "Shudge, you bees wrong," "Perhaps, then," answered the Judge, "you will be kind enough to enlighten me on the law."

"You bees wrong, Shudge, very wrong," reiterated the now excited Teuton; but his witness, who looked on in evident trepidation during the coloquy, healed him out of the court room and down stairs to the basement, where he vented his indignation in a long speech on law to an admiring circle of his countrymen.

There are now four offices open in the vicinity of

to the basements a long speech on law to an admiring circumstrance countrymen.

There are now four offices open in the vicinity of the city Hall for the accommodation of impecunious foreigners who desire to become citizens of the republic. The German Democratic Committee in Centre street does a thriving business, and the general office in Tryon row is filled daily with candidates from ireland.

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The owner of the schooler Mystic, who was unable to participate in the late regatts of the Atlantic Club, has challenged the owner of the Lois—the winner of the pennant on that occasion—to a race from the stakeboat off the Dolphin House to the southwest light and return. The ex-Commodore has accepted the challenge, and named Treaday, the eth inst., at one o'clock, for the contest. As they are both yacht of excellent salling qualities, and are not imited by the terms of agreement in the amount of canvas to be carried, and as no time allowance is made for difference in length or tennage, it promises to be one of the most interesting and exciting contests of the season. The match excites much interest in yachting circles.

THE PROTESTANT EPISCOPAL DIOCESLY

Third Day's Proceedings—A Longthy and Animated Debute—The Nature of the Proposed Change—The Vote.

The third day's session of the Protestant Episcopal Convention of the diocese of New York opened yes terday morning at hine o'clock with the usual religious morning service, which was conducted by the Rev. Dr. John J. Robertson, rector of Trinity church of Saugerties, Ulster county, and Rev. James W. Stewart, rector of St. Andrew's church, Walden, Orange county, and missionary. At the conclusion of the morning service Rev. William E. Eigenbroth, the secretary, read the minutes of the proceedings at the last session, and they were approved as read.

The first business was the motion of Mr. C. F. Hoffman, which he had embedded in the following reso-

be deposited in the same institution while remaining never to credit, but in separate accounts in the name of the remaining in good to credit, but in separate accounts in the name of the respective funds and to be subject to be drawn for all sight by their respective funds and to be subject to be drawn for all sight by their respective fundees or treasurers as becrufore for reinvestment as heretofore.

Resolved, That a committe of three be appointed to select such depository and agree upon the rate of interest and make such other arrangements as may be proper to carry the above esolution into effect.

These resolutions were adopted and the Bishop Edward Jones as the committee called for in the last resolve. A report was then read by Rev. Dr. Dix submitting a long list of names as trustees of the General Theological Seminary for confirmation by the Convention. A vote was taken and the list as reported was confirmed. There were but few, not over a dozen, names on the list changed from last year.

church, at Mount Vernon, in Vestchester county, long discussion ensued on the report made by the Rev. Dr. Halght, and in which the Rev. Dr. William long discussion ensued on the report made by the Rev. Dr. Haight, and in which the Rev. Dr. William S. Coffey, rector of St. Paul's church, East Chester, and once also rector of Trinity church at Mount Vernon, led off with a long exposition of the difficulties that occurred between himself and the congregation in 1867, which resulted in the church being closed against him by an injunction, and in the final election of the Rev. Charles Seymourt as their rector. The discussion took a very wide range, many members participating in it, involving the propriety of legal proceedings, and at one time even perjury was charged against some of the persons who had appeared in court avainst the Hev. Mr. Coffey. The Bishop spoke a few words deprecating a 1 dissensions, paying a high complimens to the effectiveness of the labors of the reverent gentiemen, but admitting that he had re orgalized the Rev. Charles Seymour as the rector of Mount Vernon. It was finally unanimously resolved to admit both the delegations without regard to their legal difficulties.

The question of the federate council was then taken up for debate. What this federate council is meant for is best seen from the following plan submitted to the Convention by the committee through the Rev. Dr. Renjamin I. Haight:—

1. Whenever the Ceneral Convention shall have passed a canon authorizing the formation of a federate council of the

Whenever the General Convention shall have passed a canon authorizing the formation of a federate council of the dioceses within this state the Bishop of she mother diocese, with the assent of the major part of the bishops of the other dioceses, shall call the Primary Council of the several dio-cesses.

discourse, that the Frimary Council shall take order as to the organization of a federate council of the said discourse, and as to all the necessary regulations for the conduct thereof.

3. The said Frimary Council shall consist:—First—Of the Blahops of the se erai discesses within the limits of the State of New York. Second—Of eight clerical and eight lay deputies from each of the discourse, to be appointed by the conventions of said discourse remeditedly.

Blamps of the se are concessed with the relation of New York. Second—Of eight derical and eight lay deputics from each of the dioceses, to be appointed by the conventions of said dioces a respectively.

4. In the said Primary Council the bishops, the clergy and the latiy shall vote by orders, and no action shall be valid without the concurrence of a majority of each order voting separately. And no pian of a permanent organization shall be binding upon any diocese unless with the consen. of the bishop and convention of said diocese.

5. In the event of the establishment by the said Primary Council of a federate council, or syno-dical union, of the several dioceses within the State, such federate council or synodical union, of the saveral discusses within the State, such federate council or synodical union, and material such seeds and the said discusses, and to all matters pertaining to the common interests of the said discusse, and to mark all laws necessary thereto not incondatent with or repugnant to the constitution and canons of the deneral Convention of this Church, or to the Book of Common Prayer.

The discussion turned mainly upon the fifth para-

pugnant to the constitution and canons of the deneral Convention of this Church, or to the Book of Common Prayer.

The discussion turned mainly upon the fifth paragraph of this "plan," defining the powers of the "federate council," or synodical union, and particularly on that part which proposed to confer upon the council "full power to emact laws." It was insisted that this would be a radical change in the whole constitution of the Church; that it would create an imperium in imperio; would be in reality copying the organization of the Roman Church, where a council is the supreme lawgiving power, and not the presbyters in conjunction with laity of thoir parishes. The debate lasted till near four-o'clock, when a vote was taken on a proposition to amend the fifth section by changing the obnoxious grant of power to a mere permissive authority to "adopt measures." This amendment was lost by the following vote:—Clerical vote, 52 yeas and 101 mays; lay vote, 47 yeas and 54 mays; total, 29 yeas and 155 mays. After the announcement of the vote Rev. Dr. Montgomery moved to lay the whole subject on the table, but it appeared that the motion was not entertained, and the Convention took a reocess till half-past seven P. M.

Evening Session.

Evening Session.

Bishop Potter took the chair at half-past seve o'clook. Mr. John Jay, on behalf of the trustees of the Parochial Fund, reported that during the pasy year they had paid no salaries and incurred no expenses; that in deference to the wishes of the Bisho and the clergy they have abstained from taking colocitions in charcies and must rely upon nequest and devises. The report concludes with a call upor the clergy to aid in accumulating the fand. Thrusd now amounts to \$4,445. Rev. Dr. Dix state that the inquiry into city mission matters entrusted to his committee could not be finished for want. Evening Session. fund now amouts to \$4,445. Rev. Dr. Dix stated that the inquiry into city mission matters entrusted to his committee could not be finished for want of time, and it was voted to extend the time. The trustees of the Land Fund reported, through Edward F. De Lancey, treasurer, that the fund invested was \$3,000; that the interest received since the last yearly report amounted to \$3.5, and that this sum was paid to the Bishop for the purposes of the fund. Some question was made as to the portion of the Diocesan Fund which is to be apportioned to the new diocesa of Northern New York, whereupon the Rev. Dr. Haight reported from his committee a recommendation that the surgestions of Bishop Fotter made in his annual address be concurred in, and also that the same amount as last year be again devoted to missionary purposes in Northern New York, but the whole subject was referred to a special committee of seven. On motion of Rev. Dr. Haight another committee was appointed to inquire what disposition should be made of the fund for aged and in rm clergy. After resolving to continue to par to the Bishop the sum of \$2,000 in addition to the salary as established heretofore, the question of the Pederate Council was again taken up and the debate renewe? I. Mr. Sam B. Ruggles moved to strike out the fifth section, which motion was favored by Rev. Dr. Littlejoin, a member of the committee origi naing it, on the ground that it had given rise to such diverging opinions. Many more specences followed and the vote was finally put and carried that the section be stricken out.

Another amendment was then proposed to the effect that the second clause of the third section of the plan be modified to provide for one electical delegate to the Federate Council for every eight clergymen in the diocese and one lay delegate for every 600 communicants, to whigh Mr. Ruggles moved a substitute as follows:—ight clerical and eight lay deputies from each of the dioceses, or representative elected on such other ratio as the General Convention may determ

ted.

The following resolution, moved by the committee in their report was then adopted:—

Resolved, That this Convention approve of the plan of a Federate Council, as reported by this committee, and the hereby direct that the said plan shall be carried into effect if the General Courotion shall pass a canon authorizing the catablishment of Federate Councils of Diocesse within any

some matters of little significance were then dis-sed of and the Convention adjourned.

TROTTING IN VERMONT.

BRADFORD, VL., Oct. 2, 1868. BRADFORD, VL., Oct. 2, 1868.

In the race for the stallion purse offered yesterday at the Fair of the Orange County Society for stallions owned in the county, Thomas Sanders' Blue Jacket won the purse—winning the last three heats. Time, 2:44%—2:44—2:41—2:44%—2:43%.

In the race for the \$100 purse for all horses, Charles Sanders' mare Topay won in three straight heats, beating Skylark and Messenger Maid. Time, 2:39—2:44%—2:39.

Over 3,000 persons were present and the fair is a decided success.

TROTTING AT ROCKLAND, ME.

ROCKLAND, Oct. 2, 1866. The new Knox tretting park was opened to-day.

A match between Berry's Black Wainut and Delany's Unknown, mile heats, best three in five to harness, was won by the latter in three straight heats, her best time being 2:40.

The United States bark Purveyor (supply ship), which sailed from this port July e, arrived at Key West the 12th uit. She discharged her cargo of coal and took her departure for St. Paul de Loando, situate on the west coast of Africa, on or about the 25th

altimo.

The United States steamship Gettysburg.
John Irwin in command, left Key West for
wall on the 23d ult., where she was to reil

NEW JERSEY.

Jersey City.

PATAL RAILROAD ACCIDENT.—About seven o'clock yesterday evening a nan named Theodore Boswell, while coupling cars at the New Jersey Railroad depot, was caught in the abdomen between the buffers and injured so seriously that his life if dispared of, Hobeken.

SQUABBLE BETWEEN SWITCHMEN.-For some time past the Morris and Essex trains have been, several times during the day, delayed at the tunnel beyond times during the day, delayed at the tunnel beyond the ordinary time owing to the drilling of freight cars in addition to the frequent passage of Erie trains at this point. A lively time in consequence has been the result between the switchmon, and though a 12th was anticipated on Thursday no row occurred. The tumor that a squad of men was sent by the Morris and Essex ordinals to this place is without foundation. If such a course were attempted the Erie men would come down on them in such numbers that the struggle would be of short duration.

Newark.

PRECOCIO'S YOUTHS .- Owen Burns, James Cahill and Thomas Godman, the alleged perpetrators of an atrocious assault on the wife of a canal boat captain, were convicted and sentenced by Judge Teese hay before yesterday. In the state to the State Prison and County Jail Burns and Cahill, both very lean boys, escaped by slipping turough a window in the water closet, in measurement about six inclass square. Subsequently Burns robbed his mother's till—she keeps a little store on the corner of kiver and Canal streaks of three dollars, and effected a complete escape by jumping on board a New York train while the latter was just starting off. Cahill is still at large. Both are mere boys.

NEW JERSEY STATE FAIR.

The Closing Day-Good Trotting and Award of Premiums.

Yesterday the tenth annual fair of the New Jersey State Agricultural Society, at the Waverley grounds, was brought to a close after a fine run of four days. was brought to a close after a une run of four days. The attendance yesterday, though scarcely more than half that of the preceding day, was still very large. Everything, as far as could be ascertained, passed of in good order. An address delivered by Joseph P. Bradley of Newark, and the distribution of premiums largely enhanced the attraction. The trotting was equally good, if not better than that of Thursday. The double team trot, best-three in five, commenced on Thursday evening, was the first thing on the tapis. It was decided by giving the contested test to Gray and mate, and another heat ran-Careless and mate won this heat in 2:40½ and carried off first prize. The heat was fiercely contested and occasioned considerable excitement among the speciators. The regular programme of the day was tiene entered upon. First came a pacing match, best two in three, to horses owned in the State. There were rive entries, but only three ran. The first heat was won by a clean limbed animal entered by W. T. Arison, of Westchester. Pa., in 2:42. The other two heats were won by a horse entered by J. L. Hewitz, of Rahway, making the same time each heat (2:43). The next trial was for a premium offered for the fastest horse or mare owned in the State, driven to road waron. Ton Bray, entered by C. M. Hagar, of Husson Gity, took the three heats in 2:51, 2:56 and 2:47, J. Smalley's horse St. George taking second prize. One or two other equally interesting trois took place. The attendance yesterday, though scarcely more taking second prize. One or two other equally in-teresting trots took place.

The society amounce that premiums to the amount of \$350 will be offered to norses entering for

amount of \$950 will be offered to norses entering for a series of races to take place on Thursday and Fri-d.y, the 15th and 16th instant. There will be two

BROOKLYN INTELLIGENCE.

New Citizens.-Upwards of 250 persons of foreign birth have been admitted to full citizenship at the County Court House, Brooklyn, within the past

A NEW STRAMER.-A valuable acquisition to the Vestern District Fire Department was received yesterday in the shape of a new and elegant steamer, received by Engine Company No. 10. The latter company paraded upon the occasion and gave an entertainment in honor of the event in the evening. THE NAVY YARD ROBBERY .- The examination of

the parties arrested recently on charge of being con-cerned in the robbery of 600 pounds of copper from the Navy Yard was resumed before Commissioner Newton yesterday, and Henry Brown, one of the ac-cused, was honorably disolarged from custody. Huestis and Flood were remanded for further exam-ination, which was set down for the 9th inst. A NEW COLORED CHURCH.—The corner stone of a new church edifice for the colored residents of

New charten cause for the colored residents of Weeksville was laid with the usual ceremonies on Thursday afternoon by Bishop A. W. Wayman, of Baltimore. The building is being erected upon the site of the former Methodist Episcopal church, and will have a high brick foundation, surmounted by a neat and substantial wooden superstructure. It is expected that the work will be finished by the 1st of January.

All FOR THE FOOR.—The Association for Improving the Condition of the Poor has submitted its twenty-fifth annual report for the year ending October I, 1868. The total receipts through solicitors and other sources for the past tweive months are \$27,085 and the disbursements were \$23,760, leaving in the hands of the treasurer a balance of \$265. The number of families assisted amounted during the past year to 4,500, consisting of over 16,000 persons. Mr. R. W. Ropes has been chosen for president of this association for the ensuing year.

PLYMOUSE RETURN, MISSON RULDING. The new

PLYMOUTH BETHEL MISSION BUILDING.-The new Bethel Mission school house, recently completed by the Plymouth church people, under the superintendence of George A. Bell, is a very handsome structure,
situated on Hicks street, near Futton. It is nfty feel
in breadth and eighty-eight feet deep and is three
stories in height. The front is of Phitadelphia brick, trimmed with Nova Scotia stone.
The interior is arranged with the greatest
taste and is admirably adapted for all the
purposes for which the edilice was designed.
The opening ceremonies will take place on Sunday
next. Upon this occasion a historical statement
will be made by R. S. Bussing and andresses by Rev.
R. S. Storrs, Jr., D. D., Rev. George J. Mingins and
Rev. H. W. Beecher. Appropriate exercises will also
be held at the Bethel on Monday, Tuesday and Wednesday next. sday next. BOARD OF SUPERVISORS .- This Board met yester-

Board met yester-day afternoon. A report was submitted by the Committee on Lunatic Asylum that thus far \$99,419 had been puid out for improvements upon the Lunatic Asylum building at Flatbush out of the \$133,000 originally appropriated for the purpose, but now the committee find that \$95,000 more than the sum already expended will be required to finish the work. The Finance Committee reported in lawor of paying the buil of Coroner Smith, hitherto disputed, amounting to \$700. The sum of \$350 was voted by the Board to the widow of Coroner Michael Slatterly. The Military Committee were instructed to advertise for proposals for building a new armory in the Sixteenth ward, the plans for which have been approved. Cortificates of indebtedness to the amount of \$100,000 for the erection of workhouses on the County Penitentiary grounds were authorized to be issued by the County Treasurer. The Board adjourned for one week.

LONG ISLAND INTELLIGENCE.

EPIDEMIC AMONG HORSES.—The horse disease that has been pervading on the western end of Long Island has made its appearance in Suffolk county and kided some of the most valuable horses in that neighborhood. Near Setauket some six or eight fine animals have died within the past week, and it is feared many others will follow. In other parts of the county the disease has done but little damage. We have heard of one or two cases of cattle disease on the island, but it is thought it will not prove very destructive, and there has been only one case in which the animal has died. The hog disease, which was so prevalent in the neighborhood of Near Rockaway a few weeks since has almost entirely abated, and was at that time pronounced the black measles.

choque, was sold for \$4,500. Captain M. Tuthili caught 586 Spanish mackerel in

one day at Gardiner's Island.

Captain R. Ruland, of Patchogue, has been appointed keeper of Life Saving Station No. 13, H. J. Rogers, of Eastport, of No. 17, and J. Müler, of Easthampton, of No. 24.

HEAVY BURGLARY IN NEW HAVEN.

Plamonds and Other Valuables Stelen.

[From the New Haven Journal, Oct. 2.]

Wednesday night one of the heaviest burglaries that has occurred in this city for some time was committed at the room of J. Nepel, a diamond setter, State street. The burglars effected an entrance to the building by pushing open the door on the street, which was fastened by a stick of timber placed behind it. They then reached the second story, and with an iron bar forced open the door of Mr. Nepel's room. Having effected an entrance they rolled the safe to the middle of the room and laid it over upon a box. They then punched a hole through the outer plate of the safe near the lock, put in some powder and blew the safe open. The plates were forced apart so that the lock could easily be taken out. From the sate they took out all the boxes containing jeweiry and carried it off. This jeweiry consisted mostly of diamond rings. There were also some manufacturers' gold and some seal rings, all valued at about \$3,000. Some of the stock Mr. Nepel had just got from New York. The burglars also entered the front room, occapied by Mr. O. Reinhardt, a watchmaker, and disturbed his things, but carried of nothing. In his safe he had over \$2,000 worth of jeweiry, but they did not sitempt to open the safe. The burglars on retiring went out of the back door of the building and escaped by Jumping down upon the railroad track. Mr. Reinhardt says that a few days ago a young man about five feet eight, having a light complexion and a dark mustache and wearing a light suit of clothes, came into his room and looked very intently at his safe, and when he asked him what he wanted he said he wished to see Mr. Nepel. Mr. R. thinks this man was one of the burglars who was then on a pros, ecting tour.

THE THREEG'S NECK MURDER.

uation of the Trial of John Doran for the Murder of Ellen Hicks-The Defence Opened-The Prisoner One of the Defenders

Yesterday morning the trial of Sergeant John Doran, as an accessory to the murder of Ellen Hicks on the morning of August 2, 1866, at Throgg's Neck,

on the morning of August 2, 1866, at Throgg's Neck, was continued before the Westchester County Court of Oyer and Terminer (present Judges J. F. Barnard, Siltman and Coukling) at White Pisins.

The first witness called for the prosecution was Alice Hicks, sister of the deceased, who was examined at considerable length, and testified that hearing the disturbance around the house and the battering in by the soldiers Canty, Fitzgerald, Charles Burke, Doran and Martin, she and her sister Ellen left their beds to and her sister Elien left their beds to see what was the matter; witness came down stairs and saw them go into Edicti's house; a short time afterwards Fitzgerald came out of the house, and, raising his musket to his shoulder, took aim at the door where witness and her sister were standing; Fitzgerald discharged the musket, the ball taking effect upon and fatally wounding Elien; all the soldiers were in Elliott's house, except Fitzgerald, at

the time the shot was fired. Nicholas Voltz, the journeyman baker employed in Nicholas Voliz, the journeyman baker employed in Elliott's bakery, testified that he was in the bakeshop when the so diers came to the shop and a ked for Mr. Elliott; he told them he did not know where he was, and they left and went towards Mr. Elliott's house, soon afterwards witness heard a noise as of the breaking of a door and left the bakery; wtness went out and secreted himself behind the gate post and saw ftzgerald raise his musket take aim at Miss licks and fire; there were no other soldiers in signiat the time except Fizzgerald; there was only one shot fire!

breaking of a door and left the bakery; witness went out and seeveted himself behind the gate post and saw Fitzgerald raise his musicet, take aim at Miss Hicks and fire; there were no other soldiers in signit at the time except Fitzgerald; there was only one shot dired.

Richard Hicks, brother of the deceased Ellen Hicks, was called and testified—I was with Elliott on the evening of August 1, 1866, in Murray's tavern, when they got Elliott in the back room they were crowding about him and he was trying foges away from them; I went in and asked inean if they wanted to murder him; Doran spoke something to the rest of them and they let Elliott go out; after that they followed us out to the stoop; Elliott and myself took the horses and the wagon and started up home; on the way home they followed us again and Burke came up to Elliott; Elliott saw that Burke was coming at him, and knocked him dow; Doran then strack Elliott with something that looked like a bar of iron, and broke his arm; after we got home I went to bed some time after I wise in bed I heard a noise, and heard my mother crying out that her child was shot; I went down stairs and saw my sister Ellen lying on the floor; sho was shot; the builet was lying on the floor; sho was shot; the builet was lying on the floor; sho was shot; the builet was lying on the floor; sho was shot; the builet was lying on the floor; sho was shot; the builet was lying on the floor; sho was shot; the builet was lying on the floor; sho was shot; the builet was lying on the floor; sho was shot; the builet was lying on the floor was o'clock in the morning; she Ilved about three hours after being shot.

Cross-examined by Mr. McKeon—I put no mark upon the builet; I picked it up off the floor and looked at it and put it down again; I know it by the mark of the plaster on it where it strick the will after we came out of the tavern we unhitched the horses from the wagon and walked away with them;

Q. Did they attempt to prevent your leaving? A. Yes, sir, they did theu best.

Q. What di

Hugh Gallagher, residing at Throg's Neck, was then called (for the prose-union also) and testified in relation to the finding of a rule in the road in the morning, after the homicide was committed; also that he went to the creek which Ethiott had swam across and found the gun which Ethiott had swam across and found the gun which Ethiott had swam across and found the gun which Ethiott had thrown into the sedge on his way to inform the authorities. On the night of the ist of August witness was in bed in his own house and about eleven or twelve o'clock was awakened by a noise outside the house; witness arose from his bed to ascertain the cause and heard the voices of Ethiott and his mother; heard Ethiott say to his mother to let him go—he would like or would hit the Fenian son of a b—h, or words to that effect; witness believed Mrs. Ethiott was trying to get Alick Ethiott into the house; witness did not see a sgn of any soldler in the road; heard Mrs. Ethiott say come into the house; was certain as to hearing. Ethiott use the words stated; knew his voice very well; had been acquainted with Ethiott and his mother for about five or six years.

The District Attorney attempted to have the minutes of the Coroner's inquest, containing Doran's statement, admitted in evidence.

Mr. McKeon objected on the ground that the requirements of the statute had not been compiled with, inasmuch as that the prisoner was not informed before making the statement that he could have counsel, and that no time was given him to procure counsel. The Court sustained the objection and the minutes were excluded. This closed the evidence for the prosecution.

Mr. McKeon then addressed the jury briefy, setting forth the theory of the defence—that the soldiers having got into the fracas at Murray's tavern, and subsequently on the road became scattered and on returning to the fort found that one of the Eurke's was missing, that they afterwards returned to find him, he being the man who was met about aix o'c ock the following morning on the road by

sented to Doran by the Chamber of Commerce of New York for his participation in that gallant defence.

Michael Kearns was the first witness called for the defence and testified—I was at Murray's on the night of the 1st of August, 1866; Elliott came into Murray's and Doran was there at the time and three other soldiers with him; the soldiers were playing cards; Elliott asked the men to have a drink; he asked me to have a drink; he asked me to have a drink; Elliott called for a drink and spilled it on the bar; Burke had got up and was talking to Elliott, and I believe Burke hauled off and streck him; they then went into the dark room; the other soldiers were with them; Elliott asked them to let him go, and I told Elliott asked them to let him go, and I told Elliott asked them to let him go, and I told Elliott as long as he didn't want to fight he wouldn't be licked there; after a while they went outside and Burke commenced talking to Elliott again; Elhott and Richard Hickatook the harness off the horses and went towards Elliott's house quietly, and I went a part of the way with them and bid them good night, and came back to Murray's; when I got back the soldiers were in the tavern; I think Elliott was under the inducace of liquor.

Jacob Connellman, Brevet Lieutenant Colonel Pirat United States artillery, was next called and testified that he had known Doran singe September I, 1865, and he had been is nuder witness' flamedate command; had always known him as a well disposed man and a very efficient soldier; he was always a peaceable man; the two Burke's had arrived as recruits on the list of August, 1866, at Fort Scuhyler; no uniforms had been issued to them at the time of this occurrence; I noticed a cut on Doran's head, a fresh cut, on top of his head the morning of his arrest; I had never noticed it before; his wife lived in the fort with her child.

T. Mason Oliver was next examined, and testified

noticed it before; his wife hved in the fort with her child.

T. Mason Oliver was next examined, and testified that he was the coroner before whom the men were brought after the homicide; Alice Hicks was examined at the inquest as a witness; witness read the examination of Islexander Elliott to him, and he then signed it and swore to it; the testimony of Nicholas Voits and Richard Hicks was read to them and they said it was correct, and they also signed and awore to it; Rilen Elliott's testimony was also read over to her before it was sworn to and signed by her.

The Coroner subsequently corrected himself by stating that he thought Elliott had been taken home in a carriage before he (the Coroner strived there, and that he, therefore, did not sign his deposition. A portion of the testimony had been taken already by Justice Burns.

John W. Mills, Surrogate, was present at the trial

A portion of the control of the trial of Fitsgerald, and took notes of the testimony of Nicholas Voltz, Alexander Ediott and Alice Hicks; witness identified his notes; they were correctly though perhaps not fully taken.

William Kennedy, residing at Throgg's Neck, next

door to Elliott, was called:—Was living there August
1, 1893; witness was up during that night attending
a sick daughter; heard a row outside and raised the
window and saw Elliott with his mother; he told
his mother to "jet him go till he'd liok the Fenian
son of a b—h:" Elliott was in his shirt sleeves, and
his mother took him inside the house; witness saw
a man in a linen duster running down the other side
of the road; I have lived nineteen vears next to
Elliott; could not be mistaken about him.

Cross-examined—Was on pretty good terms with
Elliott; had had a little trouble with him; had the
trouble because witness could not avoid it; almost
every one had trouble with him some time or other;
witness' trouble with him was fifteen years ago, but
it was all over long ago.

Robert Foster, sergeant company H, First United
States artillery, was next sworn and examined:—
Had known boran since November, 1869; always
knew him to be a peaceable man; boran was with
witness in Fort Sumter; I was in the battles at Fredericksburz, Williamsburg and chancellorsville with
Doran; he had command of a piece at Williamsburg; I didn't know that he was o'inplimented
in general orders at Williamsburg, but he was
thought highly of as a soldier; he commanded the
most advanced position at Williamsburg; only the
length of a small fleid from the enemy; he defended
that position until he was driven from it.

Pairick Clancy, sergeant in the same command,
was next called:—Hud been in the army twelve
years; have known Doran since about June 28, 1868,
a few days before the battle of Gettysburg; Doran
was at Gettysburg, Antietam, Chancellorsville, Wililamsburg and at the Wilderness; I have known him
to be a peaceable man; always saw him try to avoid
trouble.

Michael Murray testified—I was living at Westchaster on the lat of August, 1866; it was behavean

to be a peaceable man; always saw him try to avoid brouble.

Michael Murray testified—I was living at Westchester on the list of August, 1886; it was between ten and eleven o'clock when Efflott came into my house; there were four soldiers sixting in the barroom; Elliott said to them and two citizens who were present, "Come, boys, and take a drink," some of them drank and some did not; Doran declined to drink; Elliott saked Doran to drink and Doran said he would not—that he didn't like Elliott will enough to drink with him; they then went into the back room and I met Doran at the foot of the stairs near the door and said it was a shame for them to lick Elliott—he didn't want to fight Doran said "no one would lok Elliott there, he would be a friend to him, and it should not be said that Elliott was licked by a parcel of soldiers," they subsequently left his place. Witness described in detail the incidents of their departure, but the above is the most important portion of his testimony.

testimony.

Judge Cochrane was next called and testified:—I was present at the trial of Fitzgerald; I took some testimony at that trial, and have no doubt those notes were correctly taken (identified the manuscript.

notes were correctly taken (identified the manuscript.

Mr. McKeon then offered in evidence, as testimony of previous good reput tion, the medal presented to Sergeant Doran by the Chamber of Commèrce for his services in defending Fort Sumter. The proof was admitted, together with such peations of the testimony of previous proceedings as indicated that witnesses in the present trial had given testimony differing materially from their previous evidence upon the same state of facts. The evidence for the detence was then closed.

At seven colock last evening Mr. McKeon commenced summing up, the theory of his argument, which was elaborately wrought and supported by numerous eminent crimical authorities, being that to and the prisoner guilty the jury must determine that there was a complicity of motive to commit the crime between Doran and the other men engaged therein. Knowledge and intent must be proved by the prosecution. At eight o'clock Mr. McKeon was still speaking. The galleries of the court room were filled by ladies and gentlemen, great interest being manifested.

MESICAL AND THEATBICAL NOTES.

The New York Circus opens on Tuesday. The Worrell Sisters play in Baltimore next week "Richard the Third" has been buriesqued in Len-

Tony Pastor produces his female Lectard Impresario Ulmann will bring Alexandre Du

Mr. E. L. Davenport took a benefit at the Park theatre, Brooklyn, last night. Miss Celia Logan made a successful début in Loudon as Lady Ann in "Richard the Third."

to this country next year.

Miss Kate Bateman has just concluded an enragement in Liverpool, which has been unpreced The Lydia Thompson burlesque combination are to be burlesqued in cork by Parks, of Kelly & Leon's.

Parks appreciated the novel, the beautiful and the Indiorous.

A play in four acts, called "The Conquest of Magdala," has been produced at Asiley's, London, with effective scenery, real horses and donkeys, a crowd of actors and military gapernumeraries.

"Jeanne de Ligneris," a new drama with which the Odéon, Paris, reopened, is a complete failure. It is in verse and is by M. Aarc, Bayenx. It is said a baider plot and more infacted language have not often been conclued.

"Humpy Dumpty," of Olyxupic fame, is boasting that his income in the past sayen months, as exhibited in the returns to the internal Revenue Bureau of this city, exceeds by so ms ranging from \$10,000 to \$60,000 the receipts of any other theaters in New York. On the 1sth inst the pied, will underge a thorough reconstruction and a new and emingod haltst will be added to the attractions.

mony at the inquest that stimulants had to be given him to enable him to give his testimons.

Mr. McKeon, prisoner's counsel, suggested that this was merely wanting to prove that they had to make Elliott drunk before they could get him to tell the truth and objected to the admission of the proof. The District Attorney waived his offer upon the objection being raised.

Mr. Livingston, a civil engineer, was called and identified a diagram of the locality of the homicide and testified to its accuracy, it being made under his direction and supervision.

Hugh Gallagher, residing at Throg's Neck, was then called (for the prosecution also) and testified in the read in the pope of the United States; but if he hopes

of the people of the United States; but if he hopes to make money there, he must perform very differently from what he has been doing of hate, and particularly at the Ahambra in London, where, although still run alter, he was thought far inferior to his wondrous feats of former years. America furnishes, perhaps, the greatest number of superior gymnastin the whole world, and there, at least, a quiet, languid style of trapèze-diving with have no chance whatever of obtaining appliance.

A grand concert will be given to-night at Irving Hall by Mrs. Jenny Rempton, the favorite contraite, Harry Sanderson, the eminent planist, and other well known artists. The programme promises to be an interesting one.

an interesting one.

Henry J. Byron's two latest works, "Blow for Blow" and "fhe Lancashire Lass," have been received with great favor in England. The author has won his way to a leading position among English

won his way to a leading position among English dramatists.

Theodore Thomas' Central Park Garden concerts still continue with unvarying success. To those who have regularly attended them during the season they have proved instructive as well as ontertaining, for every style and school of lumino receives attention on the programme.

Charles Barron, assisted by Miss Blanche de Bar, has been winning laurels at the Hoddiday, Baltimore, by his masterly impersonation of Hamlet.

Max Strakosch's concerts at the Academy will be got up on a grand scale. Of course, Miss Keilogg will be the great attraction, but the other artisms will also be of a first class order.

Opening of Janauschek's Dramatic Campaign.
That superb German sotress, Fanny Janauschek,
will commence her second campaign in this country
at the Academy of Music next Tuesday night. There is to be a short season only of eight performances in New York for the present, in consequence of engage-ments at Boston and other cities, though she will return probably for a more prolonged season during the winter. Jananschek, when here last year, seeing that the American people could appreciate the high-est order of classic dramatic art, and meeting with great success then, was induced to go to Europe for a new and superior company and for a new and costly outfit of costumes and properties. She has just returned with a company of the first artists, far superior to what she had before and superior, perhaps, on the whole to any that has ever appeared in America. They were the leading performess at the principal theatres in Vienna, Berlin and other parts of Germany. Among them are Messra. Benemann, Reinhardt, Bernhardy and Comments, and Misses Siegmann and Kuhle. The stage manager is Mr. Oscar Guttmann. The costumes and everything else to make the drama most effective are said to be of the richest and most costly character. The senson will open ou Tuesday night with "The Bride of Messina," which will be followed by "Phedra," great success then, was induced to go to Europe for Messina," which will be followed by "Phedre "Deborah" and other dramas. Janauschek is trammelled by contracts with or control of margers. She is her own manager and engaged to

gers. She is her own manager and engaged the company herself.

It is hardly necessary to speak of the genine and dramatic power of Janauschek, for the largest known and appreciated in this country. In purely classic art, in profound knowledge of the elevated subjects she loves to represent and the meaning of the great writers she interprets, as well as in the thrilling effect of her representations she stands untivalled now in America, and perhaps it may be said she has no superior in the world. Our actors and actresses should study her as a model of the highest classic art, and purest elecution. Janauschek appears here at the right time to represent the classic drama, for it was be a change and a relief from the universal frivolithm of opera bonds and "Black Crook" sensations, about which the people have been running wild for some time past and of which they must soon become satiated. It may as we us from utter demoralisation with regard to theatrical matters and bring us beaut to something more noble and elevating. This truly grand artist and her splendid company should receive such a cordial welcome and crowded house the Tuesday night as their great merits deserve.